

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

DIAZAPHOSPHACYCLES

(Attorney Docket No. 032026-0594)

the specification of which (check one)

is attached hereto.

was filed on \_\_\_\_\_ as United States Application Number or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER:

SCOTT D. ANDERSON	Reg. No. 46,521
RUSSELL J. BARRON	Reg. No. 29,512
DAVID J. BATES	Reg. No. 39,902
STEVEN C. BECKER	Reg. No. 42,308
EDWARD W. BROWN	Reg. No. 22,022
CHARLES G. CARTER	Reg. No. 35,093
ALISTAIR K. CHAN	Reg. No. 44,603
JOHN C. COOPER III	Reg. No. 26,416
JEFFREY N. COSTAKOS	Reg. No. 34,144

WILLIAM J. DICK	Reg. No. 22,205
HARRY C. ENGSTROM	Reg. No. 26,876
BERNARD P. FRIEDRICHSEN	Reg. No. 44,689
BARRY L. GROSSMAN	Reg. No. 30,844
JEFFREY S. GUNDERSEN	Reg. No. 47,619
PAUL S. HUNTER	Reg. No. 44,787
MARK A. KASSEL	Reg. No. 38,200
KATHERINE D. LEE	Reg. No. 44,865
KENNETH G. LEMKE	Reg. No. 47,746
KEITH D. LINDENBAUM	Reg. No. 40,365
DAVID G. LUETTGEN	Reg. No. 39,282
PETER J. MANGHERA	Reg. No. 40,080
RICHARD J. MC KENNA	Reg. No. 35,610
JAMES G. MORROW	Reg. No. 32,505
TODD A. RATHE	Reg. No. 38,276
M. REED STAHELI	Reg. No. 47,959
CHRISTOPHER M. TUROSKI	Reg. No. 44,456
JAMES A. WILKE	Reg. No. 34,279
JOSEPH N. ZIEBERT	Reg. No. 35,421
WALTER E. ZIMMERMAN	Reg. No. 40,883

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Harry C. Engstrom  
 FOLEY & LARDNER  
 150 East Gilman Street  
 P. O. Box 1497  
 Madison, Wisconsin 53701-1497

Telephone: (608) 258-4207  
 Facsimile: (608) 258-4258

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Clark R. Landis
Residence	Madison, Wisconsin
Citizenship	USA
Post Office Address	1852 Summit Avenue Madison, Wisconsin 53705
Inventor's signature	
Date	
Name of second inventor	Wiechang Jin
Residence	Madison, Wisconsin
Citizenship	Korea
Post Office Address	4725 Sheboygan Avenue Madison, Wisconsin 53705
Inventor's signature	
Date	
Name of third inventor	Jonathan S. Owen
Residence	Pasadena, California
Citizenship	USA
Post Office Address	1028 East Del Mar Boulevard Apartment 207 Pasadena, California 91106
Inventor's signature	
Date	
Name of fourth inventor	Thomas P. Clark
Residence	Madison, Wisconsin
Citizenship	USA
Post Office Address	3154 Ridgeway Avenue Apartment 108 Madison, Wisconsin 53704
Inventor's signature	
Date	



NOVEMBER 30, 2001

PTAS

WISCONSIN ALUMNI RESEARCH FOUNDATION  
KATHY HANNEMAN  
614 WALNUT STREET  
MADISON, WI 53705

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

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UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/29/2001

REEL/FRAME: 012197/0693  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
LANDIS, CLARK R. DOC DATE: 11/12/2001ASSIGNOR:  
JIN, WIECHANG DOC DATE: 10/26/2001ASSIGNOR:  
CLARK, THOMAS P. DOC DATE: 10/26/2001ASSIGNOR:  
OWEN, JONATHAN S. DOC DATE: 11/19/2001ASSIGNEE:  
WISCONSIN ALUMNI RESEARCH  
FOUNDATION  
614 WALNUT STREET  
MADISON, WISCONSIN 53705SERIAL NUMBER: 09911367  
PATENT NUMBER: FILING DATE: 07/23/2001  
ISSUE DATE:

012197/0693 PAGE 2

SAUNDRA BALLENGER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

ASSIGNMENT  
(Joint Inventors)

I am one of the persons identified as an inventor and who has contributed to a certain new and useful invention (the "Invention"), as set forth in an application for United States Letters Patent, bearing substantially the following title and bearing the following serial number. The application was executed by me, and it was filed on the indicated date:

Title: DIAZAPHOSPHACYCLES

Serial Number: 09/911367

Date Filed: 7-23-2001

The assignee under this agreement is hereby authorized to insert the filing date and serial number referred to above, when ascertained.

For good and valuable consideration, I do hereby sell, assign, and transfer to the Wisconsin Alumni Research Foundation (hereinafter "WARF") a non-stock, non-profit Wisconsin corporation, and to its legal representatives, successors, and assigns, my entire right, title and interest in and to the Invention and to all United States and foreign patent applications any of whose claims cover all or part of the Invention, together with all patents resulting from such applications. WARF shall hold such right, title, and interest as fully and completely as they would have been held by me had this assignment and sale not been made.

I agree, upon WARF's request, to execute or assent to such United States and foreign patent applications and to execute all separate assignments and other legal documents that WARF may find necessary or desirable in its exercise of the right, title, and interest assigned above. I also agree to communicate to WARF any facts relating to the Invention or to any of the patent applications or patents contemplated above that may be useful to WARF and to testify as to such facts in any interferences or in litigation, if requested to do so. I shall do all these things without additional compensation but at no expense to me.

I hereby request the Commissioner of Patents to issue to WARF, as the owner of my entire right, title, and interest therein, any Letters Patent of the United States that may be issued for the Invention.

ASSIGNMENT  
Wisconsin Alumni Research Foundation  
Ref: P01419US  
App.#: 09/911367, Filed: 7-23-2001

Inventor: Clark R. Landis

Date: 11/13/01

Clark R. Landis  
1852 Summit Ave.  
Madison, WI 53705

State of Wisconsin      )  
                            )ss.  
County of Dane      )

On this 13<sup>th</sup> day of November, 2001 before me personally appeared Clark R. Landis, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Dave E. Simmer  
Notary Public

My Commission expires: 25<sup>th</sup> of January 2004

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P01419US

App.#: 09/911367, Filed: 7-23-2001

Inventor: Jin, Wiechang

Date: 10/26/2001

Wiechang Jin  
4725 Sheboygan Avenue  
Madison, WI 53705

State of Wisconsin )  
                      )ss.

County of Dane    )

On this 26<sup>th</sup> day of October, 2001 before me personally appeared Wiechang Jin, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Dave E. Hinrichs  
Notary Public

My Commission expires: 25 January 2004

ASSIGNMENT

Wisconsin Alumni Research Foundation  
Ref: P01419US  
App.#: 09/911367, Filed: 7-23-2001

Inventor:



Date: 10/26/2001

Thomas P. Clark  
Apt. 108  
3154 Ridgeway Ave.  
Madison, WI 53704

State of Wisconsin      )  
                            )  
                            )ss.  
County of Dane      )

On this 26<sup>th</sup> day of October, 2001 before me personally appeared Thomas P. Clark, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

  
\_\_\_\_\_  
Notary Public

My Commission expires: 25 January 2004

## ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P01419US

App.#: 09/911367, Filed: 7-23-2001

Inventor: John Green Date: 11/19/01

Jonathan S. Owen  
802 W. Main Street  
Midland, MI 48640

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )  
ss. \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001 before me personally appeared Jonathan S. Owen, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

---

## Notary Public

My Commission expires:

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Los Angeles

} ss.

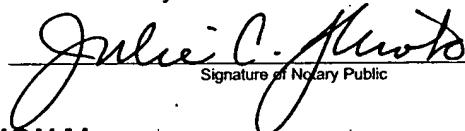
On 19 November 2001, before me, Julie C. Hiroto, notary public,  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

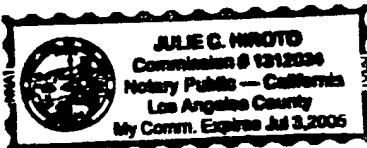
personally appeared Jonathan S. Owen  
Name(s) of Signer(s)

personally known to me  
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) ~~is~~ ~~are~~ subscribed to the within instrument and acknowledged to me that he ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity(ies), and that by ~~his~~ ~~her~~ ~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

  
Signature of Notary Public



Place Notary Seal Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Assignment of Patent

Document Date: date signed 11-19-01 Number of Pages: five

Signer(s) Other Than Named Above: Wiechang Jin; Clark R. Landis;  
Thomas P. Clark

### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

Individual  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Attorney in Fact  
 Trustee  
 Guardian or Conservator  
 Other: \_\_\_\_\_

### RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: \_\_\_\_\_